

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#10

Applicants : Philip O. Livingston and Friedhelm Helling
U.S. Serial No.: 08/196,154 Group Unit: 1806
Filed : November 16, 1995 Examiner: A. Caputo
For : GANGLIOSIDE-KLH CONJUGATE VACCINES WITH
QS-21



1185 Avenue of the Americas
New York, New York 10036
March 28, 1997

RECEIVED
APR 1 1997
GROUP 1
10

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

SECOND COMMUNICATION REQUESTING CORRECTED FILING RECEIPT

This Communication is filed to request a corrected Filing Receipt in connection with the above-identified application. Applicants previously filed a Communication Requesting Corrected Filing Receipt with the U.S. Patent and Trademark Office on July 22, 1996 with a certificate of mailing dated July 22, 1996, attached hereto as **Exhibit A**. Further, applicants enclose a copy of the postcard returned by the U.S. Patent and Trademark Office, attached hereto as **Exhibit B**, filed with the Communication clearly stating that the first Communication Requesting Corrected Filing Receipt was filed on July 22, 1996.

Upon receipt of the official Filing Receipt for the subject application, a copy of which is attached hereto as **Exhibit C**, applicants' undersigned attorney noticed errors.

Applicants hereby respectfully request that a corrected Filing Receipt be issued. Specifically, after "APPLICANT(S)", the following now appears:

PHILLIP O. LIVINGSTON, NEW YORK, NY; FRIEDHELM HELLING,

Philip Livingston and Friedhelm Helling
U.S. Serial No.: 08/196,154
Filed: November 16, 1995
Page 2

NEW YORK, NY

A corrected Filing Receipt should read as follows:

--PHILIP O. LIVINGSTON, NEW YORK, NY;
FRIEDHELM HELING, NEW YORK, NY--

Further, after "CONTINUING DATA AS CLAIMED BY APPLICANT-", the following now appears:

THIS APPLN IS A 371 OF PCT/US94/00757 01/21/94
AND A CON OF 08/009,628 01/21/93 PAT 5,333,920

A corrected Filing Receipt should read as follows:

--THIS APPLN IS A 371 OF PCT/US94/00757 01/21/94
AND A CIP OF 08/009,268 01/22/93 ABN--

Also, after "TITLE", the following now appears:

GANGLIOSIDE-KLH CONJUGATE VACCINES PLUS OS-21

A corrected Filing Receipt should read as follows:

--GANGLIOSIDE-KLH CONJUGATE VACCINES PLUS QS-21--

Applicants contend that the changes to the Filing Receipt are due to clerical errors made by the PTO and that the correct inventor's name, continuation information and title of the application may be found in the Declaration and Power of Attorney filed November 14, 1995. A copy of the Declaration and Power of Attorney is attached hereto as **Exhibit D**. Accordingly, applicants request that a corrected Filing Receipt be issued.

Philip Livingston and Friedhelm Helling
U.S. Serial No.: 08/196,154
Filed: November 16, 1995
Page 3

No fee is deemed necessary in connection with the filing of this Communication. However, if any fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,

Albert Wai Kit Chan

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Albert Wai Kit Chan 3/28/97
Albert Wai-Kit Chan Date
Reg. No. 36,479

John P. White
Registration No. 28,678
Albert Wai-Kit Chan
Registration No. 36,479
Attorneys for Applicant(s)
Cooper & Dunham, LLP
1185 Avenue of the Americas
New York, New York 10036
(212) 278-0400

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Philip O. Livingston, et al.
Serial No.: 08/196,154
Filed : November 16, 1995 Group Art Unit: 1806
For : GANGLIOSIDE-KLH CONJUGATE VACCINES WITH QS-21

1185 Ave of the Americas
New York, New York 10036
July 22, 1996

Assistant Commissioner for Patents
Washington, D.C. 20231

ATTN: Application Processing Division's
Customer Correction Branch

SIR:

COMMUNICATION TO CORRECT ERROR IN FILING RECEIPT

This Communication is submitted to request correction of an error in the filing receipt issued by the U.S. Patent and Trademark Office in connection with the above-identified application. Applicants' undersigned attorney received the filing receipt on May 15, 1996. A copy of the filing receipt is attached hereto as Exhibit A.

Applicants hereby respectfully request the following corrections be made:

Under Applicant(s): "Phillip O. Livingston" should be spelled --Philip O. Livingston--.

The title of the invention given as:

"GANGLIOSIDE-KLH CONJUGATE VACCINES PLUS OS-21"

The title of the invention should read:

--GANGLIOSIDE-KLH CONJUGATE VACCINES WITH QS-21--.

The Continuing Data As Claimed By Applicant given as:

"THIS APPLN IS A 371 OF PCT/US94/00757 01/21/94"

Philip O. Livingston, et al.
Serial No.: 08/196,154
Filed: November 16, 1995
Page 2

The Continuing Data As Claimed By Applicant should read:
--THIS APPLN IS A 371 OF PCT/US94/00757 01/21/94
WHICH IS A CIP OF 08/009,268 01/22/93 ABN--.

On November 14, 1995, applicants filed a Declaration and Power of Attorney in connection with the subject application. Applicants attach hereto as Exhibit B a copy of the Declaration and Power of Attorney which lists the continuing data as it was supposed to appear on the filing receipt.

Applicants maintain that the changes to the filing receipt are due to clerical errors made by the Patent and Trademark Office and request that a correction be made to the filing receipt.

No fee is deemed necessary in connection with the filing of this Communication. However, if any fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,

Albert Wai-Kit Chan

I hereby certify that this paper is being deposited this date with the U.S. Postal Service as first class mail addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Albert Wai-Kit Chan 7/22/96
Albert Wai-Kit Chan Date
Reg. No. 36,479

John P. White
Registration No. 28,678
Albert Wai-Kit Chan
Registration No. 36,479
Attorneys for Applicants
Cooper & Dunham LLP
1185 Avenue of the Americas
New York, New York 10036
(212) 278-0400

FILE

Applicant Philip O. Livingston, et al.

Client MSK (1747)

File No. 43016-A-PCT-US City. JPW/AKC

Date July 22, 1996

Kindly acknowledge receipt of the accompanying

Communication to Correct Error in Filing Receipt in connection with Philip O. Livingston, et al. for GANGLIOSIDE-KLH CONJUGATE VACCINES WITH QS-21, U.S. Serial No. 08/196,154, filed November 16, 1995 including Exhibit A (a copy of the filing receipt), Exhibit B (a copy of the Declaration and Power of Attorney), and a Certificate of Mailing dated July 22, 1996

by placing your receiving date stamp hereon and returning to us.

Applicant Philip O. Livingston, et al.

Client MSK (1747)

File No. 43016-A-PCT-US City. JPW/AKC

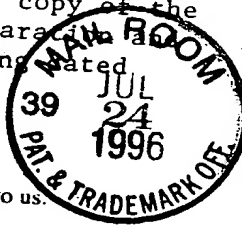
Date July 22, 1996

Kindly acknowledge receipt of the accompanying

Communication to Correct Error in Filing Receipt in connection with Philip O. Livingston, et al. for GANGLIOSIDE-KLH CONJUGATE VACCINES WITH QS-21, U.S. Serial No. 08/196,154, filed November 16, 1995 including Exhibit A (a copy of the filing receipt), Exhibit B (a copy of the Declaration and Power of Attorney), and a Certificate of Mailing dated July 22, 1996

AUG 12 1996

by placing your receiving date stamp hereon and returning to us.



FILING RECEIPT



AKC/MSK
UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTORNEY DOCKET NO.	DRWGS	TOT CL	IND CL
08/196,154	11/16/95	1806	\$726.00	43016-A-PCT-	26	23	0

JOHN P WHITE
COOPER AND DUNHAM
1185 AVENUE OF THE AMERICAS
NEW YORK NY 10036

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Application Processing Division's Customer Correction Branch within 10 days of receipt. Please provide a copy of the Filing Receipt with the changes noted thereon.

Applicant(s)

PHILLIP O. LIVINGSTON, NEW YORK, NY; FRIEDHELM HELING,
NEW YORK, NY.

CONTINUING DATA AS CLAIMED BY APPLICANT-

THIS APPLN IS A 371 OF PCT/US94/00757 01/21/94
AND A CON OF 08/009,628 01/21/93 PAT 5,333,920

FOREIGN FILING LICENSE GRANTED 03/30/96

* SMALL ENTITY *

TITLE

GANGLIOSIDE-KLH CONJUGATE VACCINES PLUS OS-21

PRELIMINARY CLASS: 424

SEP 13 1996

DOCKET ENTRY

Declaration and Power of Attorney

As a below-named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

GANGLIOSIDE-FREI CONJUGATE VACCINES WITH GS-21

the specification of which
(check one)

 is attached hereto.

 x was filed on January 21, 1994 15

Application Serial No. PCT/US94/00757 and entered the National
stage as U.S. Serial No. 08/196,154

and was amended on July 21, 1995
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information of which I am aware which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)		Filing Date	Priority Claimed	
Number	Country		Yes	No
None				

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States Application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Sections 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>Application Serial No.</u>	<u>Filing Date</u>	<u>Status</u>
<u>PCT/US94/00757</u>	<u>January 21, 1994</u>	<u>pending</u>
<u>08/069,268</u>	<u>January 22, 1993</u>	<u>abandoned</u>

And I hereby appoint

John P. White (Reg. No. 28,678); Thomas F. Moran (Reg. No. 16,579); Norman H. Zivin (Reg. No. 25,385); Ivan S. Kavrukov (Reg. No. 25,161); Christopher C. Dunham (Reg. No. 22,031); Thomas G. Carulli (Reg. No. 30,616); Robert D. Katz (Reg. No. 30,141); Peter J. Phillips (Reg. No. 29,691); Richard S. Milner (Reg. No. 33,970); Matthew J. Golden (Reg. No. 35,161); Albert Wai-Kit Chan (Reg. No. 36,479); Kristina L. Konstas (Reg. No. 37,864); Robert T. Maldonado (Reg. No. 38,232); and Lewis J. Kreisler (Reg. No. 38,522),

and each of them, all c/o Cooper & Dunham LLP of 1185 Avenue of the Americas, New York, New York 10036, Tel. (212) 278-0400, my attorneys, each with full power of substitution and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, to transact all business in the Patent and Trademark Office connected therewith and to file any International Applications which are based thereon under the provisions of the Patent Cooperation Treaty.

Please address all communications, and direct all telephone calls, regarding this application to

John P. White Reg. No. 28,678
Cooper & Dunham LLP
1185 Avenue of the Americas
New York, New York 10036
Tel (212) 278-0400

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first joint inventor Philip Ordway Livingston
 Inventor's signature Philip Livingston
 Citizenship United States Date of signature 8/24/95
 Residence 156 E 79th Street, New York, NY 10021
 Post Office Address same as residence address

Full name of joint
inventor (if any) Friedhelm Helling
Inventor's signature Friedhelm Helling
Citizenship Germany Date of signature 8/17/95
Residence 504 E 63rd Street, Apt 25N, New York, NY 10021
Post Office Address same as residence address

Full name of joint
inventor (if any) _____
Inventor's signature _____
Citizenship _____ Date of signature _____
Residence _____
Post Office Address _____

Full name of joint
inventor (if any) _____
Inventor's signature _____
Citizenship _____ Date of signature _____
Residence _____
Post Office Address _____